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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

Erica Welker

Plaintiff,

v.

Law Office of Daniel J. Horwitz

Defendant.

Case No: 08cv2259 IEG (WMC)

**Notice of Motion and Motion for
Summary Judgment;
Memorandum of Points and
Authorities; Declaration of Robert
L. Hyde; Exhibits A and B**

Date: March 22, 2010
Time: 10:30 AM

Location: U.S. District Court
Federal Courthouse,
940 Front Street,
Courtroom #1, 4th Floor
San Diego, CA

Judge: Hon. Irma E. Gonzalez

HYDE & SWIGART
San Diego, California

TO: ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that on March 22, 2010 at 10:30 AM, or as soon thereafter as the matter may be heard, the plaintiff will appear in this action and move the above entitled Court, located at the U.S. District Court, Federal Courthouse, 940 Front Street, Courtroom #1, 4th Floor, San Diego, CA, for an order granting summary judgment in favor of the plaintiff, pursuant to Federal Rules of Civil Procedure, Rule 56(b), on the grounds that this action is meritorious and there is no triable issue as to any material fact and defendant is entitled to judgment as a matter of law.

This motion is based upon this Notice, the records and papers on file herein, the attached Memorandum of Points and Authorities, the Declaration of Robert L. Hyde, Exhibits A & B attached, and on such other evidence as may be presented at the hearing of this motion. .

Respectfully submitted,

Hyde & Swigart

Date: February 19, 2010

By: /s/ Robert L. Hyde
Robert L. Hyde
Attorneys for Plaintiff